

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/735,861
Attorney Docket No. Q78357

REMARKS

Claims 1-18 have been examined. Upon entry of the present Amendment, claims 5-10, 12, 14-15 and 17-18 are amended. Claims 1-4, 13 and 16 are cancelled without prejudice or disclaimer. No new matter is presented.

To summarize the Office Action, claims 8-18 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite, and claims 1-4, 7, 13, 16 and 18 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Byeon et al. (U.S. Patent No. 6,381,441, hereinafter "Byeon"). Further, the Examiner has indicated that claims 8-12 are allowed, and claims 5, 6, 14, 15 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the 35 U.S.C. § 112, second paragraph, rejection and in independent form including all the limitations of the base claim and any intervening claims. The outstanding rejections are addressed below.

Initially, Applicant notes that claims 5 and 6 are respectively rewritten in independent form and incorporate the subject matter of claim 1, and claims 14, 15 and 17 are respectively rewritten in independent form and incorporate the subject matter of claim 13. Therefore, claims 5, 6, 14, 15 and 17, which have been amended to include all the limitations of their respective base claims, are believed to be in condition for allowance.

I. Rejection under 35 U.S.C. § 112, second paragraph

As noted above, claims 8-18 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite due to an alleged lack of antecedent basis for elements recited therein.

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Applicant notes that claims 8-10, 12, 14, 15, 17 and 18 are amended to clarify support for the recited elements. Thus, the rejection with respect to these claims and claim 11, which depends from claim 8, is believed to be overcome.

Further, Applicant notes claim 8 has been amended to change “moves passed” to “moves past” so as to be grammatically correct. This amendment is made solely to improve the form of the claim and is not believed to affect the claim scope or raise any new issues.

Finally, Applicant notes that the rejection of claims 13 and 16 is moot in view of the cancellation of claims 13 and 16 without prejudice or disclaimer. Accordingly, reconsideration and withdrawal of this ground of rejection is requested.

II. Rejection under 35 U.S.C. § 102(b) over U.S.P. 6,381,441 to Byeon et al. (“Byeon”)

Claims 1-4, 7, 13, 16 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Byeon. This ground of rejection is traversed.

Initially, Applicant notes that the rejection of claims 1-4, 13 and 16 is moot in view of the cancellation of these claims without prejudice or disclaimer.

With respect to claim 7, Applicant notes that claim 7 is amended to define a jam detecting method which recites similar features as recited in the image forming apparatus defined by claim 5. Thus, method claim 7 is believed to be allowable for *at least* the same reasons that apparatus claim 5 is allowable.

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Further, claim 18 is amended to define a jam detecting method which recites similar features as recited in the image forming apparatus defined by claim 17. Thus, method claim 18 is believed to be allowable for *at least* for the same reasons that apparatus claim 17 is allowable.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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